## THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

PETER D. KINDER,	)
MISSOURI LIEUTENANT GOVERNOR, et al.,	)
	)
Plaintiffs,	)
	) Cause No: 1:10-cv-00101-RWS
V.	)
	)
TIMOTHY F. GEITHNER,	)
SECRETARY OF TREASURY, et al	)
	)
Defendants.	)

## AFFIDAVIT OF MARK F. (THOR) HEARNE, II AFFIRMING SERVICE OF PROCESS UPON DEFENDANTS

- I, Mark F. (Thor) Hearne, II, am over the age of eighteen (18) years, of sound mind and capacity, and I make this Affidavit on the basis of my personal knowledge.
- 1. Pursuant to FRCP 4(i)(l)(A)(i), on July 13, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Health and Human Services a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit A."
- 2. Pursuant to FRCP 4(i)(l)(A)(i), on July 13, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Kathleen Sebelius, Secretary of the Department of Health and Human Services, a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit B."
- 3. Pursuant to FRCP 4(i)(l)(A)(i), on July 13, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Hilda L. Solis, Secretary of the

Department of Labor, a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit C."

- 4. Pursuant to FRCP 4(i)(l)(A)(i), on July 15, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Labor a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit D."
- 5. Pursuant to FRCP 4(i)(l)(A)(i), on July 15, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the U.S. Attorney's Office a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit E."
- 6. Pursuant to FRCP 4(i)(l)(A)(i), on July 15, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Justice a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit F."
- 7. Pursuant to FRCP 4(i)(l)(A)(i), on July 15, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Eric H. Holder, Jr., Attorney General, a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit G."
- 8. Pursuant to FRCP 4(i)(l)(A)(i), on July 21, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Timothy F. Geithner, Secretary of Treasury, a copy of the Summons and Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit H."

- 9. Pursuant to FRCP 4(i)(l)(A)(i), on August 25, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Health and Human Services a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit I."
- 10. Pursuant to FRCP 4(i)(l)(A)(i), on August 25, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Labor a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit J."
- 11. Pursuant to FRCP 4(i)(l)(A)(i), on August 26, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Kathleen Sebelius, Secretary of the Department of Health and Human Services, a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit K."
- 12. Pursuant to FRCP 4(i)(l)(A)(i), on August 26, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to Hilda L. Solis, Secretary of the Department of Labor, a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit L."
- 13. Pursuant to FRCP 4(i)(l)(A)(i), on August 27, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Eric H. Holder, Jr., Attorney General, a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit M."
- 14. Pursuant to FRCP 4(i)(l)(A)(i), on August 27, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Justice a

copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit N."

- Pursuant to FRCP 4(i)(l)(A)(i), on September 9, 2010, I caused to be delivered by 15. the U.S. Post Office via certified mail return receipt requested to Timothy F. Geithner, Secretary of Treasury, a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit O."
- 16. Pursuant to FRCP 4(i)(1)(A)(i), on September 9, 2010, I caused to be delivered by the U.S. Post Office via certified mail return receipt requested to the Department of Treasury a copy of the Summons and Amended Complaint in this case. A true and accurate copy of the return receipt is attached as "Exhibit P."

I swear and affirm the foregoing statements are true and accurate to the best of my knowledge and belief, subscribed and sworn to before me, a Notary Public within and for said county and state, this 10<sup>th</sup> November, 2010.

learne, II

Notary Public: Lynny S.C. Brute My Commission Expires: January 8, 2012

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  ■ Print your name and address on the reverse so that we can return the card to you.  ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  U.S. Department of Health & Human Services 200 Independence Avenue, SW Washington, DC 20201	A. Signature  X
	☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number 7007 (Transfer from service label)	4. Restricted Delivery? (Extra Fee)
PS Form 3811, February 2004 Domestic Re	sturn Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:         <ul> <li>Kathleen Sebelius Secretary of HHS</li> <li>U.S. Department of Health &amp; Human Services</li> <li>200 Independence Avenue, SW Washington, DC 20201</li> </ul> </li> </ul>	A. Signature  X
Article Number     (Transfer from service label)	
PS Form 3811, February 2004 Domestic Re	tum Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Hilda L. Solis Secretary of Labor	A. Signature    Agent   Addressee     Addres	
U.S. Department of Labor 200 Constitution Avenue, NW Washington, DC 20210	3. Service Type  Certified Mail	
2. Article Number 7007 0220 0000 4373 2527 (Transfer from service label)		
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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1. Article Addressed to:  U.S. Department of Labor 200 Constitution Avenue, NW	D. Is delivery address different from item 1?  Yes If YES, enter delivery address below:  No
Washington, DC 20210	3. Service Type  ☑ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ € D. ☐  4. Restricted Delivery? (Extra Fee) ☐ Yes
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	☐ Insured Mail ☐ C.O.D.  4. Restricted Delivery? (Extra Fee)	☐ Yes
2. Article Number 7007 022 (Transfer from service label)		
PS Form 3811, February 2004 Domestic Ret	turn Receipt	102595-02-14-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse	A Signature  Agent Addressee
so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by ( Printed Name) C. Date of Delivery
Article Addressed to:	D. Is delivery address different from item 12 Yes If YES, enter delivery address below: No
U.S. Department of Justice	JUL 152010
950 Pennsylvania Avenue, NW Washington, DC 20530-0001	3. Service Type  ☑ Certified Mail ☐ Express Mail
	☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee)
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Eric H. Holder, Jr. Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001	A. Signature  X
2. Article Number 7007 022	
PS Form 3811, February 2004 Domestic Re	turn Receipt 102595-02-M3540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  Print your name and address on the reverse	A. Signature  X Million   Agent  Addressee
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1. Article Addressed to:	D. Is delivery address different from Item 1? Yes If YES, enter delivery address below:
Timothy F. Geithner Secretary of Treasury U.S. Department of the Treasury	į į
1500 Pennsylvania Avenue, NW Washington, D.C. 20220	3. Service Type  ▼ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
•	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number (Transfer from service label)	220:0000 4373 2658
PS Form 3811, February 2004 Domestic Retu	urn Receipt 102595-02-M-1540

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Article Addressed to:	If YES, enter delivery address below:   No
U.S. Dept. of Health & Human Services 200 Independence Avenue, SW Washington, DC 20201	
<i>i</i>	3. Service Type  Certified Mail  Registered  Insured Mail  C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7005 0390 (Transfer from service lace)	1002 5293 1422
PS Form 3811, February 2004 Domestic Ref	turn Receipt 102595-02-M-1540



Home | Help | Sign In

rack & Confirm		
Search Results		
Label/Receipt Number: <b>7005 0390 0002 5293 1460</b> Status: <b>Delivered</b>	Track & Confirm	
Your item was delivered at 11:06 am on August 25, 2010 in WASHINGTON, DC 20210. A proof of delivery record may be ava through your local Post Office for a fee.	Enter Label/Receipt N lable	lumber.
Additional information for this item is stored in files offline.		
(Restore Offline Details > ) (2) (Return to USPS.com	lome > )	
Carnote Priva	y Policy Terms of Use Business C	Customer Gatew
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Exhibit J

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELI	VERY
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200 Constitution Avenue, NW L Washington, DC 20210	3. Service Type  LD Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.  4. Restricted Delivery? (Extra Fee) □ Yes
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Article Addressed to:	D. Is delivery address different from item 1?
Eric H. Holder, Jr. Attorney General	· •
U.S. Department of Justice	The second secon
950 Pennsylvania Avenue, NW Washington, DC 20530-0001	3. Service Type  Certified Mail
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Washington, DC 20530-0001	,
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U.S. Department of the Treasury 1500 Pennsylvania Avenue, NW Washington, D.C. 20220	, vi	
	3. Service Type  Cartified Mail	
	4. Restricted Delivery? (Extra Fee)	
Article Number     (Transfer from service label)	e se e s	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		